

RENTON CITY COUNCIL
Regular Meeting

April 24, 2006
Monday, 7:00 p.m.

Council Chambers
Renton City Hall

MINUTES

CALL TO ORDER

Mayor Kathy Keolker called the meeting of the Renton City Council to order and led the Pledge of Allegiance to the flag.

**ROLL CALL OF
COUNCILMEMBERS**

RANDY CORMAN, Council President; DON PERSSON; MARCIE PALMER; TERRI BRIERE; DENIS LAW; TONI NELSON. MOVED BY LAW, SECONDED BY CORMAN, COUNCIL EXCUSE ABSENT COUNCILMAN DAN CLAWSON. CARRIED.

**CITY STAFF IN
ATTENDANCE**

KATHY KEOLKER, Mayor; JAY COVINGTON, Chief Administrative Officer; LAWRENCE J. WARREN, City Attorney; BONNIE WALTON, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; ALEX PIETSCH, Economic Development Administrator; DON ERICKSON, Senior Planner; MICHAEL BAILEY, Finance and Information Services Administrator; LINDA HERZOG, Interim Assistant to the CAO; COMMANDER CHARLES MARSALISI, Police Department.

PROCLAMATIONS

Day of Prayer - 5/4/2006

A proclamation by Mayor Keolker was read declaring the day of May 4, 2006, to be "Day of Prayer" in the City of Renton in keeping with the wishes of the Congress of the United States and the Governor of the State of Washington, and encouraging all citizens to join in this special observance. MOVED BY CORMAN, SECONDED BY NELSON, COUNCIL CONCUR IN THE PROCLAMATION. CARRIED.

Native Plant Appreciation
Week - 4/30/2006 to 5/6/2006

A proclamation by Mayor Keolker was read declaring the week of April 30 through May 6, 2006, to be "Native Plant Appreciation Week" in the City of Renton and encouraging all citizens to learn more about native plants and how to protect them, and to enjoy and appreciate the value and beauty of native flora. MOVED BY CORMAN, SECONDED BY NELSON, COUNCIL CONCUR IN THE PROCLAMATION. CARRIED.

Mayor Keolker changed the order of business, as the special presentation speaker had not yet arrived.

PUBLIC HEARING

Annexation: Akers Farms,
108th Ave SE & Puget Dr S

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Keolker opened the public hearing to consider the proposed annexation and R-8 zoning of 14.02 acres (including the abutting street right-of-way) located in the vicinity of SE 160th St., SE 164th St., 108th Ave. SE and 110th Ave. SE, if extended (Akers Farms).

Senior Planner Don Erickson reported that five single-family dwellings exist on this site, which slopes generally downward to the northeast from the southwest corner. The northern portion of the site contains an unclassified coal mine hazard area. In regards to the public services, he noted that the site is within Fire District #40, the sewer service areas of Renton and the Soos Creek Water and Sewer District, the water service area of Soos Creek Water and Sewer District, and the Renton School District.

Mr. Erickson stated that current King County zoning is R-8 (eight dwelling units per gross acre), and the Renton Comprehensive Plan designates the site as Residential Single Family for which R-8 (eight dwelling units per net acre) is proposed. He indicated that the fiscal impact analysis assumes a potential of 76

homes at full development, the replacement of the five existing homes, and an average new home value of \$375,000. A \$395 surplus is estimated at current development, and a \$16,842 surplus is estimated at full development. Mr. Erickson noted the one time parks acquisition and development cost of \$30,721.

Mr. Erickson reported that the proposed annexation is consistent with City policies and Boundary Review Board criteria, and serves the best interests and general welfare of the City, especially if higher quality development is encouraged near Nelsen Middle School. He indicated that no major service issues were identified; however, City departments noted the cumulative impact of recent annexations, which will eventually require additional staff.

Public comment was invited. There being none, it was MOVED BY BRIERE, SECONDED BY LAW, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED.

MOVED BY BRIERE, SECONDED BY LAW, COUNCIL: SUPPORT R-8 ZONING CONSISTENT WITH THE COMPREHENSIVE PLAN; ACCEPT THE AKERS FARMS ANNEXATION; CONCURRENTLY REZONE THE SITE BY ADOPTING R-8 ZONING FOR THE 12.99-ACRE NON-STREET PORTION; AND PRESENT THE ORDINANCES FOR FIRST READING ON 5/8/2006. CARRIED.

SPECIAL PRESENTATION
Legislature: 2006 State
Legislative Session Wrap-Up

Renton's State lobbyist, Doug Levy, presented the 2006 legislative session wrap-up report. He pointed out that typically one-half to one-third of the bills introduced into the legislative process affect local government in some way. Mr. Levy highlighted the following items:

- Streamlined Sales Tax - the full mitigation solution was held by the House Speaker due to political campaign and timing issues.
- Annexation Financing - a new financing tool for large annexations was passed which could mean up to \$4.5 million per year to help with annexation of areas such as West Hill and Fairwood.
- Transportation - 1) additional flexibility for the Regional Transportation Investment District (RTID); 2) provision that allows formation of Transportation Benefit Districts with voter approval; 3) SR-169 designated a Highway of State Significance; and 4) new funding codified for the Transportation Improvement Board.
- Budget - funding for law enforcement training academy and for inventorying buildable lands.
- Economic Development - opportunity to compete for infrastructure financing.
- Tax Incentives - 1) excise tax relief for certain aerospace suppliers; 2) new sales tax deferral for biotech manufacturing; and 3) State matching money for film and TV production.
- Law Enforcement, Criminal Justice and Courts - 1) more than a dozen bills passed concerning sex offenders; 2) provisions for electronic ticketing; and 3) felony treatment of repeat DUI offenders.

Mr. Levy noted that the mole trapping issue was held up in the process, as well as State/local agency liability limitations. Looking forward, he stated that more work lies ahead regarding issues such as eminent domain, transportation governance, sales tax streamlining, auto theft, potential RTID and Sound

Transit joint ballot, and capital budget funding for the Chastain Trail (federal funding will also be pursued).

In conclusion, Mr. Levy emphasized the following: legislative tracking, lobbying, and advocating has become a year-round business; it is important to monitor State initiatives, which can change and undo legislative action; and Renton's strategy to focus on a few issues has been a successful formula.

ADMINISTRATIVE REPORT

Chief Administrative Officer Jay Covington reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 2006 and beyond. Items noted included:

- * The Mayor's Planting Day on April 22nd was a success with over 60 volunteers planting trees and flowers in the downtown business district.
- * The Second Annual Community Garage Sale will be held at the Renton Community Center on April 29th.
- * The 2006 Summer *What's Happening* recreation brochure will be available beginning May 1st, with registration opening May 2nd for Renton residents, and May 4th for non-residents.

AUDIENCE COMMENT

Citizen Comment: DeMastus -
Highlands Community
Association

Sandel DeMastus, Highlands Community Association (HCA) Vice President, 1137 Harrington Ave. NE, Renton, 98056, claimed that false information was given by a speaker regarding the association at the last Council meeting. Ms. DeMastus named the nine HCA board members, and shared their professional backgrounds. She stated that the HCA is a 501(c)(3) non-profit organization, who, like other neighborhood associations, left Renton's Neighborhood Program due to its rules. Ms. DeMastus emphasized that the HCA has done a lot for the Highlands area, and she is very proud of the association.

Citizen Comment: Petersen -
Highlands Subarea Plan

Inez Petersen, 3306 Lake Washington Blvd. N., #3, Renton, 98056, stated that although she is excited about The Landing project as discussed during Committee of the Whole, the Highlands Community Association (HCA) is concerned about the related traffic issues. Ms. Petersen announced that HCA filed an appeal on the Environmental Review Committee's SEPA determination regarding the Highlands Subarea rezoning proposal.

Ms. Petersen recommended that existing single-family dwellings and duplexes in the Highlands not become non-conforming. Property owners unwilling to upgrade the dwellings should be encouraged to sell to someone who will upgrade, and if they do not, she supports the City's enforcement of laws to acquire the property for development. Additionally, she recommended increased police presence, sidewalk repair and installation, and review of low-interest loans and non-profit assistance availability for low-income citizens. Ms. Petersen encouraged the City to consider a compromise between the area's current situation and high density development.

Citizen Comment: McOmber -
Highlands Subarea Plan

Howard McOmber, 475 Olympia Ave. NE, Renton, 98056, said he favors upgrading the Highlands area. He agreed that upgrades to the zoning are also needed; however, the proposed zoning text still needs substantial revision. Emphasizing that the moratorium has stopped residents from upgrading their property, Mr. McOmber pointed out that residents should be allowed the freedom to improve the area. He stated that he wants to continue to improve the Highlands with the City's help, and stressed that time is needed to do it right and to work things out.

CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing.

CAG: 06-044, New Park Construction at 233 Union Ave NE, Ohno Construction

City Clerk reported bid opening on 4/5/2006 for CAG-06-044, New Park Construction at 233 Union Ave. NE; three bids; engineer's estimate \$1,134,000; and submitted staff recommendation to award the contract to low bidder, Ohno Construction, in the amount of \$994,990.14. Council concur.

Community Services: City Hall Mechanical Maintenance, McKinstry Company

Community Services Department recommended approval of a contract in the amount of \$63,509 annually with McKinstry Company for heating, ventilating, and air conditioning systems services at City Hall. Council concur.

Development Services: Veldyke Short Plat, ROW Dedication, NE 19th St

Development Services Division recommended acceptance of a deed of dedication for additional right-of-way at NE 19th St. to fulfill a requirement of the Veldyke Short Plat (SHP-05-065). Council concur.

Transportation: Rainier Ave & Hardie Ave SW Improvements Design, KPG Inc

Transportation Systems Division recommended approval of an agreement in the amount of \$2,736,425 with KPG, Inc. for design of the Rainier Ave. Improvements (S. 4th Pl. to S. 2nd St.) and Hardie Ave. SW Transit/Multimodal Improvements projects. Council concur.

Transportation: South Lake WA Infrastructure Improvement, CTED Grant

Transportation Systems Division recommended approval of an agreement for a \$5 million grant from Washington State Department of Community, Trade and Economic Development for utility improvements for the South Lake Washington Infrastructure Improvement project. Council concur. (See page 134 for resolution.)

Transportation: Limited Term Positions Hire, Construction Management & Inspection Services

Transportation Systems Division requested authorization to use approved project funding for three limited term employees to provide construction management and inspection services for the SR-169 HOV Improvements and Duvall Ave. NE projects in the amount of \$279,500. Refer to Finance Committee.

MOVED BY CORMAN, SECONDED BY NELSON, COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. CARRIED.

Added**CORRESPONDENCE**

Citizen Comment: Various - Highlands Subarea, Zoning Text & Zoning Map Amendments

Correspondence was read from Dave S. Nguyen, 1422 Jefferson Ave. NE, Renton, 98056, and Nen Kim Phan, 1420 Jefferson Ave. NE, Renton, 98056, expressing agreement with the City's Highlands Subarea rezoning proposal.

**UNFINISHED BUSINESS
Committee of the Whole**

Planning: The Landing Public Infrastructure, Transwestern Harvest Lakeshore

Council President Corman presented a Committee of the Whole report regarding The Landing project infrastructure agreement. The Committee concurred with the recommendation of the Administration to approve and authorize the Mayor and City Clerk to sign an agreement with Transwestern Harvest Lakeshore LLC outlining the coordination and timing of the roadway and utility improvements necessary to facilitate development of The Landing. MOVED BY CORMAN, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. Mr. Corman indicated that the City is going forward with approximately \$19 million in road improvements at the former Boeing property to support The Landing project.

Finance Committee

Finance: Vouchers

Finance Committee Chair Persson presented a report recommending approval of Claim Vouchers 247523 - 248017 and two wire transfers totaling \$3,090,801.03; and approval of Payroll Vouchers 63025 - 63191, one wire

transfer, and 609 direct deposits totaling \$1,947,403. MOVED BY PERSSON, SECONDED BY LAW, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Finance: 2005 Carry Forward Ordinance

Finance Committee Chair Persson presented a report recommending adoption of the ordinance authorizing carrying forward appropriated funds not expended in 2005. This ordinance increases the annual 2006 Budget by \$12,623,585. The Committee further recommended that the ordinance be presented for first reading and advanced to second and final reading. MOVED BY PERSSON, SECONDED BY LAW, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 134 for ordinance.)

Transportation (Aviation) Committee

Sound Transit: Rainier Ave S, Hardie Ave SW & SW 27th St/Strander Blvd Funding

Transportation (Aviation) Committee Chair Palmer presented a report recommending concurrence in the staff recommendation to approve an interlocal agreement with Sound Transit to release their initial funding contribution of \$2,530,000 for the Rainier Ave. S., Hardie Ave. SW, and SW 27th St./Strander Blvd. projects. The Committee further recommended that the resolution authorizing the Mayor and City Clerk to sign the agreement be presented for reading and adoption. MOVED BY PALMER, SECONDED BY PERSSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 134 for resolution.)

CAG: 06-023, Airport #790 Building Construction, Lincoln Construction

Transportation (Aviation) Committee Chair Palmer presented a report recommending concurrence in the staff recommendation to accept the low bid submitted by Lincoln Construction, Inc. for the Airport Quonset Hut Building #790 Construction project in the amount of \$129,851. The Committee further recommended authorizing a fund transfer from the Airport's Airside/Landside Separation Fund in the amount of \$118,420 to cover the cost of the contract, and authorizing the Mayor and City Clerk to sign the contract. MOVED BY PALMER, SECONDED BY PERSSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Planning & Development Committee

Planning: Highlands Subarea Plan Study Area Moratorium

Planning and Development Committee Chair Briere presented a report recommending that a public hearing be set on 5/8/2006 to consider extending the existing moratorium on new development in the R-10 and RM-F zones within the Highlands Subarea Plan study area. The purpose of this extended moratorium is to provide adequate time for resolution of the appeal of the SEPA determination on the Highlands Subarea rezoning proposal before the City Hearing Examiner, to allow the City Council to consider public testimony, and to review staff and Planning Commission recommendations concerning the appropriate density and use of land within the Highlands Subarea Plan study area, prior to adoption of a zoning text amendment and rezone proposal.*

Councilwoman Briere stated that due to the filing of the appeal by the Highlands Community Association, it is prudent to extend the moratorium until the appeal goes through the process.

*MOVED BY BRIERE, SECONDED BY PALMER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

RESOLUTIONS AND ORDINANCES

The following resolutions were presented for reading and adoption:

Resolution #3803

Transportation: South Lake
WA Infrastructure
Improvement, CTED Grant

A resolution was read authorizing the Mayor and City Clerk to enter into an interlocal agreement with the Washington State Department of Community, Trade and Economic Development for a \$5 million grant for the South Lake Washington Infrastructure Improvement project. MOVED BY LAW, SECONDED BY BRIERE, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

Resolution #3804

Sound Transit: Rainier Ave S,
Hardie Ave SW & SW 27th
St/Strander Blvd Funding

A resolution was read authorizing the Mayor and City Clerk to enter into an interlocal cooperative agreement between the Central Puget Sound Regional Transit Authority (Sound Transit) and the City of Renton, for the SW 27th St./Strander Blvd. Extension: West Valley Hwy. to Oakesdale Ave. SW project, and the Rainier Ave./Hardie Ave. SW Arterial Improvements project. MOVED BY LAW, SECONDED BY PALMER, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

The following ordinance was presented for first reading and advanced for second and final reading:

Finance: 2005 Carry Forward
Ordinance

An ordinance was read amending Ordinance 5180 relating to the City of Renton annual 2006 Budget, and carrying forward appropriated funds not expended in 2005, which increases the 2006 Budget by \$12,623,585. MOVED BY PERSSON, SECONDED BY NELSON, COUNCIL ADVANCE THE ORDINANCE FOR SECOND AND FINAL READING. CARRIED.

Ordinance #5202

Finance: 2005 Carry Forward
Ordinance

Following second and final reading of the above ordinance, it was MOVED BY PERSSON, SECONDED BY NELSON, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Ordinance #5203

Annexation: Hoquiam, 140th
Ave SE & NE 6th St

An ordinance was read annexing approximately 20.5 acres generally located immediately north of NE 6th St., if extended, east of 140th Ave. SE, if extended to 144th Ave. SE, and bordered by SE 120th St., if extended, on the north (Hoquiam Annexation). MOVED BY BRIERE, SECONDED BY LAW, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Ordinance #5204

Annexation: Hoquiam, R-8
Zoning

An ordinance was read establishing the zoning classification of approximately 20.5 acres generally located immediately north of NE 6th St., if extended, east of 140th Ave. SE, if extended to 144th Ave. SE, and bordered by SE 120th St., if extended, on the north, annexed within the City of Renton as R-8 (Residential - eight dwelling units per acre) zoning; Hoquiam Annexation. MOVED BY BRIERE, SECONDED BY LAW, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Ordinance #5205

Annexation: Falk II, 102nd
Ave SE & SE 185th St

An ordinance was read annexing approximately 6.29 acres generally located immediately south of the north side of SE 185th St., if extended, on the north, the east side of 102nd Ave. SE, on the east, a line parallel and some 428 feet south of the northern boundary on the south, and approximately 100th Ave. SE, if extended, on the west (Falk II Annexation). MOVED BY BRIERE, SECONDED BY LAW, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Ordinance #5206

Annexation: Falk II, R-8
Zoning

An ordinance was read establishing the zoning classification of approximately 6.29 acres generally located immediately south of the north side of SE 185th St., if extended, on the north, the east side of 102nd Ave. SE, on the east, a line parallel and some 428 feet south of the northern boundary on the south, and approximately 100th Ave. SE, if extended, on the west, annexed within the City

of Renton as R-8 (Residential - eight dwelling units per acre) zoning; Falk II Annexation. MOVED BY LAW, SECONDED BY BRIERE, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Ordinance #5207

Annexation: Merritt II, SE
May Valley Rd & Coal Creek
Parkway

An ordinance was read amending Ordinance 5142 by changing the timing to 3/31/2007 for effectuating Phase II of the Merritt II Annexation to the City of Renton. MOVED BY LAW, SECONDED BY BRIERE, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

NEW BUSINESS

Planning: Highlands Subarea
Rezoning Appeal of SEPA
Determination

Discussion ensued regarding the public meeting and public hearings scheduled for May 8th. Responding to Council inquiry, Economic Development Administrator Alex Pietsch clarified that the appeal of the SEPA determination on the Highlands Subarea rezoning proposal puts on hold any action that staff could bring forth for Council's consideration regarding the proposal. City Attorney Larry Warren confirmed that Council is not restricted from discussing the matter as it is a legislative rather than a quasi-judicial topic.

Community Services: Hanging
Flower Baskets

Councilwoman Nelson reported that the hanging flower baskets are scheduled to be hung in downtown Renton the week following Mother's Day (May 14th).

AUDIENCE COMMENT

Citizen Comment: Petersen -
Highlands Subarea Rezoning
Appeal of SEPA
Determination

In response to Inez Petersen's question, 3306 Lake Washington Blvd. N., #3, Renton, 98056, about the public hearing on the appeal of the SEPA determination on the Highlands Subarea rezoning proposal, City Attorney Warren explained that the appeal will be sent to the Hearing Examiner who establishes a public hearing date. Following consideration of the matter, the Hearing Examiner will then issue a decision.

In response to Ms. Petersen's inquiry regarding the need for a public hearing on the moratorium in the Highlands, Councilwoman Briere explained that a moratorium extension is being considered as the appeal process could take a significant amount of time to resolve.

Following discussion regarding the public meeting and public hearings scheduled for May 8th, Council President Corman confirmed the order in which they will be held as follows: first, the public meeting on overall development of the Highlands area, second, the public hearing on the Highlands moratorium extension, and third, the public hearing on the AHBL walkway vacation request.

Citizen Comment: DeMastus -
Highlands Community
Association

Sandel DeMastus, 1137 Harrington Ave. NE, Renton, 98056, commented that the Highlands Community Association is growing fast, and has over 250 members. She added that supporters of the association include Senator Margarita Prentice, and Representatives Zack Hudgins and Bob Hasegawa.

ADJOURNMENT

MOVED BY LAW, SECONDED BY NELSON, COUNCIL ADJOURN.
CARRIED. Time: 8:29 p.m.

Bonnie I. Walton, CMC, City Clerk

Recorder: Michele Neumann
April 24, 2006